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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/524,434

02/15/2005

Rene Djurup

DJURUP1

4128

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EXAMINER

GUDIBANDE, SATYANARAYAN R

ART UNIT

PAPER NUMBER

1654

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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AUG 27 2009

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Washington, D.C. 20001

In re Application of: :  
Djurup et al. :  
Serial No.: 10/524,434 : PETITION DECISION  
Filed: February 15, 2005 :  
Attorney Docket No.: DJURUP=1 :

This is in response to the renewed petition under 37 CFR § 1.181, filed August 6, 2009, requesting reconsideration of the decision on petition mailed July 24, 2009.

#### BACKGROUND

The relevant file history of the instant application was discussed in the decision on petition mailed July 24, 2009.

#### DISCUSSION

The petition and the file history have been carefully considered. Applicants' detailed explanation clarified that each sequence claimed under proviso (a) and proviso (b) did not fall under the definitions set forth in 37 C.F.R. § 1.821(a).

#### DECISION

The petition is subsequently **GRANTED**.

The requirement in the final rejection that "[T]he 1-5 amino acids corresponding to SEQ ID NO: 595,600, 605 and 606 need SEQ ID NOs" is **withdrawn**. Accordingly, the final rejection is hereby VACATED and the examiner will be instructed to re-issue the final rejection without a requirement to provide separate sequence identifiers for amino acids 1-5 of SEQ ID NO: 595, 600, 605, or 606. That Office action will have a three-month shortened statutory period to respond.

Should there be any questions about this decision please contact Marianne C. Seidel, by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 703-872-9306.

A handwritten signature in black ink, appearing to read "Remy Yucel", followed by a horizontal line.

Remy Yucel  
Director, Technology Center 1600